

1 IN THE UNITED STATES BANKRUPTCY COURT FOR
2 THE DISTRICT OF PUERTO RICO

3 IN RE:

4 CRUZ M LEON RIVERA

CASE NO. 06-04071 BKT

5
6 Chapter 13
7
8
9

XXX-XX-3351

10 FILED & ENTERED ON 08/20/2010

11 Debtor(s)

12 DISCHARGE OF DEBTOR AFTER COMPLETION OF CHAPTER 13 PLAN

13 It appearing that the debtor is entitled to a discharge.
IT IS ORDERED:

14 The debtor is granted a discharge under section 1328(a) of title 11,
United States Code, (the Bankruptcy Code).

15 In San Juan, Puerto Rico, this 20 day of August, 2010.

16 
17 Brian K. Tester
18 U. S. Bankruptcy Judge

19 cc: All creditors

20 SEE THE BACK THIS ORDER FOR IMPORTANT INFORMATION.

21
22
23
24
25

1 EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 13 CASE

2 This court order grants a discharge to the person named as the debtor after
3 the debtor has completed all payments under the chapter 13 plan. It is not a
dismissal of the case.

4 Collection of Discharged Debts Prohibited

5 The discharge prohibits any attempt to collect from the debtor a debt that
6 has been discharged. For example, a creditor is not permitted to contact a debtor
7 by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or
other property, or to take any other action to collect a discharged debt from the
debtor. *[In a case involving community property:]* [There are also special rules
that protect certain *community property* owned by the debtor's spouse, even if
that spouse did not file a bankruptcy case.] A creditor who violates this order
can be required to pay any damages and attorney's fees to the debtor.

9 However, a creditor may have the right to enforce a valid lien, such as a
mortgage or security interest, against the debtor's property after the
bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.
10 Also, a debtor may voluntary pay any debt that has been discharged.

11 Debts That are Discharged

12 The chapter 13 discharge order eliminates a debtor's legal obligation to
13 pay a debt that is discharged. Most, but not all, types of debts are discharges
if the debt is provided for by the chapter 13 plan or is disallowed by the court
pursuant to section 502 of the Bankruptcy Code.

14 Debts that are Not Discharged.

15 Some of the common types of debts which are not discharged in a chapter 13
bankruptcy case are:

- 16 a. Debts that are in the nature of alimony, maintenance, or support;
- a. Debts for most student loans;
- 17 b. Debts for most fines, penalties, forfeitures, or criminal restitution
obligations;
- 18 c. Debts for personal injuries or death caused by the debtor's operation of a
motor vehicle while intoxicated;
- 19 d. Debts provided for under section 1322(b) (5) of the Bankruptcy Code and on
which the last payment is due after the date on which the final payment
under the plan was due; and
- 20 e. Debts for certain consumer purchases made after the bankruptcy case was
filed if prior approval by the trustee of the debtor's incurring the debt
was practicable but was not obtained.

22 This information is only a general summary of the bankruptcy discharge.
23 There are exceptions to these general rules. Because the law is complicated, you
may want to consult an attorney to determine the exact effect of the discharge in
this case.

24

25